

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE  
AT KNOXVILLE

JO ANN BARNARD, )  
Plaintiff, )  
v. )  
POWELL VALLEY ELECTRIC )  
COOPERATIVE, )  
Defendant. )  
No. 3:18-CV-537-CLC-DCP

## **MEMORANDUM AND ORDER**

This case is before the undersigned pursuant to 28 U.S.C. § 636, the Rules of this Court, and Standing Order 13-02.

Now before the Court is the Motion of Attorney Richard E. Collins for Permission to Withdraw as Counsel of Record and for Seventy-Day Stay or Continuance of All Unexpired Deadlines and Trial [Doc. 17]. For grounds, the Motion states that Plaintiff has become displeased with Attorney Collins's attention to and handling of this case and that she would like to retain new counsel. Plaintiff effectively terminated Attorney Collins's representation on March 25, 2020. The Motion states that the parties have exchanged written discovery, but depositions still need to be taken. Plaintiff has begun her search for new counsel and reasonably estimates that she will be able to retain new counsel within the next thirty (30) to forty-five (45) days. The Motion requests that the Court stay or continue all deadlines and the trial by seventy-five (75) days. The Motion provides Plaintiff's address and telephone number. In addition, Plaintiff has signed the Motion, stating that she has read the Motion and agrees with the request therein.

Pursuant to Local Rule 83.4, in order to withdraw from a case, an attorney must do the following:

- (1) File a motion with the Court requesting permission to withdraw as counsel of record;
- (2) Include in the motion the current mailing address and telephone number of the client;
- (3) Unless the motion is signed by both the attorney and the client or a consent to the withdrawal signed by the client is attached to the motion, provide a copy of the motion to the client at least 14 days prior to the date the motion is filed;
- (4) If a hearing date on the motion is set, certify in writing to the Court that the client was served at least 7 days before the hearing with notice (i) of the date, time, and place of hearing and (ii) that the client has a right to appear and be heard on the motion; and
- (5) Certify to the Court that the above requirements have been met.

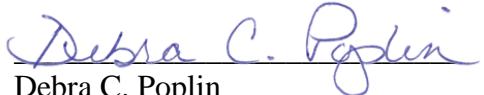
The Court finds that Attorney Collins's Permission to Withdraw as Counsel complies with the Local Rules. In addition, Plaintiff has consented to the Motion. Accordingly, the Court finds Attorney Collins's request to withdrawal well taken, and it is **GRANTED**. The Court expects Attorney Collins to provide copies of any relevant documents to any future counsel for Plaintiff or directly to Plaintiff upon request. Attorney Collins is **RELIEVED** of his duties as counsel in this case.

The Court will not, however, grant a stay or a continuance of all deadlines for seventy-five (75) days. Plaintiff **SHALL** have thirty days (30) to retain new counsel in this matter. If Plaintiff has not retained new counsel within (30) days, the Court will deem Plaintiff to be proceeding pro se. The Court will contact the parties to set a telephonic status conference. The Clerk of Court is **DIRECTED** to mail a copy of this Memorandum and Order to Plaintiff at the address provided in the Motion to Withdraw and to update ECF accordingly. Accordingly, the Motion of Attorney Richard E. Collins for Permission to Withdraw as Counsel of Record and for Seventy-Day Stay or

Continuance of All Unexpired Deadlines and Trial [Doc. 17] is **GRANTED IN PART AND DENIED IN PART.**

**IT IS SO ORDERED.**

ENTER:



Debra C. Poplin  
United States Magistrate Judge